

RESOLUTION NO. 2635

AUTHORIZING AND DIRECTING CONDEMNATION OF
REAL PROPERTY FOR PUBLIC STREET PURPOSES

BE IT RESOLVED by the Council of the City of Lodi as follows:

That the Council of the City of Lodi finds, determines and hereby declares:

(1) That the public interest, necessity, and convenience require the acquisition, construction, and completion by the City of Lodi, of a public improvement, to-wit: the opening and extending of Ham Lane as a public street in the City of Lodi from Lodi Avenue south.

(2) That the proposed improvement is a public use and is planned and located in a manner most compatible with the greatest public good and the least private injury and that said use is authorized by law.

(3) That the City of Lodi acquire the hereinafter-described real property for street purposes, by donation, purchase, or by condemnation in accordance with the provisions of the Code of Civil Procedure of the State of California relating to eminent domain. That the City Attorney is hereby authorized to prosecute in the name of the City of Lodi, any and all actions or proceedings required to acquire the necessary land and/or to fix the compensation to be paid for property damaged resulting from the construction and maintenance of said improvement; and in the absence of a satisfactory price agreement with the owner of the land, the City Attorney is hereby directed to immediately commence proceedings under Title Seven, Part Three of the Code of Civil Procedure of the State of California to condemn the property hereinafter described for the purpose of taking said land for the opening and extending of Ham Lane as a public street in the City of Lodi from Lodi Avenue south, as described in Paragraph (1) of this Resolution.

(4) To acquire in the name of the City of Lodi, fee simple estate in and to the said hereinafter-described real property by condemnation in accordance with the provisions of the Streets and Highways Code, Code of Civil Procedure, and the Constitution of California relating to eminent domain.

(5) To make application to said Court for an order fixing the amount of such security in the way of money deposits as said Court may direct, and for an order permitting said City of Lodi to take immediate possession and use of said real property, or interest in real property, or existing improvements, as a right of way for public use; to make deposit of such security or moneys in such amount so fixed and determined and in such manner as said court in which such proceedings are pending may direct.

The real property, or interest in real property which the City of Lodi is by this Resolution authorized to acquire for said public improvement is situate in the City of Lodi, County

of San Joaquin, State of California, and is described as follows:

Beginning at a point on the West line of the Northeast Quarter of Section 11, Township 3 North, Range 6 East, Mount Diablo Base and Meridian, said point lying S. $0^{\circ} 42' 30''$ E., distant 25.0 feet from the Northwest corner of said Northeast Quarter; thence East and parallel to the North line of said Section, 60.25 feet; thence S. $0^{\circ} 42' 30''$ E., 10.5 feet; thence 31.66 feet along a curve to the left having a radius of 20.0 feet, a central angle of $90^{\circ} 42' 30''$ and a long chord which bears S. $45^{\circ} 21' 15''$ W.; thence S. $0^{\circ} 42' 30''$ E., and parallel to the West line of said Northeast Quarter 214.25 feet; thence West and parallel to the North line of said Northeast Quarter, 40.0 feet to the West line of said Northeast Quarter; thence N. $0^{\circ} 42' 30''$ W., along said West line, 245.00 feet to the point of beginning.

Dated: July 3, 1963

I hereby certify that Resolution Nu. 2635 was passed and adopted by the City Council of the City of Lodi in regular meeting held July 3, 1963 by the following vote:

AYES: Councilmen - BROWN, CULBERTSON, DOW,
ULLMANN and KATZAKIAN

NOES: Councilmen - NONE

ABSENT: Councilmen - NONE

Seatrice Pulaski
City Clerk